

Ouachita Parish  
Filed Dec 28, 2021 11:39 AM  
Ethel Barfield  
Deputy Clerk of Court  
C-20213854  
CV4

COURTNEY PREALOW

NUMBER:

VERSUS

4<sup>TH</sup> JUDICIAL DISTRICT

PROTECTIVE INSURANCE COMPANY,  
MPS TRANSPORTATION, INC.,  
FEDEX GROUND PACKAGE SYSTEM, INC.,  
and GARY ROBINSON

PARISH OF OUACHITA  
STATE OF LOUISIANA

\*\*\*\*\*

PETITION FOR DAMAGES

NOW INTO COURT, through undersigned counsel, comes COURTNEY PREALOW, a resident of the full age of majority of the Parish of Red River, State of Louisiana, who respectfully represents:

1.

Made Defendants are:

1. FEDEX GROUND PACKAGE SYSTEM, INC.; a Delaware business corporation authorized to do and doing business in the State of Louisiana, with its agent for service of process being C T Corporation System;
2. MPS TRANSPORTATION, INC., doing business in the State of Louisiana, with its agent for service of process being Marcus Shallar;
3. PROTECTIVE INSURANCE COMPANY, a foreign insurance company authorized to do and doing business in the State of Louisiana, with its agent for service of process being The Louisiana Secretary of State; and
4. GARY ROBINSON a resident of the full age of majority in Newark Ohio.

2.

On or about February 5, 2020, at approximately 12:03 a.m., plaintiff, COURTNEY PREALOW, was operating a 2018 Chevrolet Malibu westbound in the left lane of travel on Interstate 20 near mile post 112, in Ouachita Parish, Louisiana.

3.

At the same time defendant GARY ROBINSON was operating a 2020 Mack Tractor carrying dual trailers westbound in the right lane of travel on Interstate 20 near mile post 112, in Ouachita Parish, Louisiana.

4.

Defendant, GARY ROBINSON attempted to change lanes and struck the rear COURTNEY PREALOW's vehicle.

5.

The impact pushed COURTNEY PREALOW's vehicle into another Tractor Trailer.

6.

**COURTNEY PREALOW** was injured as a result of the collision sued upon herein.

7.

This collision was caused by the negligence of defendant, **GARY ROBINSON** in the following ways:

- a. Driving his vehicle into the rear of the vehicle driven by Plaintiff;
- b. Failure to pay attention to traffic conditions;
- c. Improper lane change;
- d. Failing to yield; and
- e. Carelessly operating a vehicle

8.

Defendant's reckless and negligent conduct caused harm to Plaintiff, **COURTNEY PREALOW**. Defendants are responsible for Plaintiff's past, present, and future: 1) medical expenses; 2) pain and suffering; 3) mental pain and anguish; 4) permanent injuries and disability; 5) loss of wages and economic opportunity; 6) loss of enjoyment of life; and 7) property damage.

9.

At the time of the wreck, **GARY ROBINSON** was operating the 2020 Mack Tractor in the course and scope of his employment with **FEDEX GROUND PACKAGE SYSTEM, INC** and **MPS TRANSPORTATION, INC.**, **FEDEX GROUND PACKAGE SYSTEM, INC.** and **MPS TRANSPORTATION, INC.**, are vicariously liable for the negligent acts of its employees.

10.

At the time of this accident, **FEDEX GROUND PACKAGE SYSTEM, INC.**'s was self-insured for the losses/damage caused by **GARY ROBINSON**.

11.

Additionally, at the time of this accident, there was in full force and effect a policy of insurance issued by **PROTECTIVE INSURANCE COMPANY** that provided liability coverage to the vehicle driven by **GARY ROBINSON** for losses in excess of **FEDEX GROUND PACKAGE SYSTEM, INC.**'s self-insured retention /deductible.

12.

Additionally, at the time of this accident, there was in full force and effect a policy of

insurance issued by **PROTECTIVE INSURANCE COMPANY** that provided liability coverage to the vehicle driven by **GARY ROBINSON** for losses in excess of **FEDEX GROUND PACKAGE SYSTEM, INC.**'s self-insured retention /deductible.

13.

**FEDEX GROUND PACKAGE SYSTEM, INC.**, had a duty to establish, communicate and enforce screening, training and supervision procedures to prevent accidents of this nature. The breach of this duty by **FEDEX GROUND PACKAGE SYSTEM, INC.** caused Plaintiff's injuries and harm. **FEDEX GROUND PACKAGE SYSTEM, INC.**, was negligent in its hiring, supervision, retention, and training of **GARY ROBINSON**.

14.

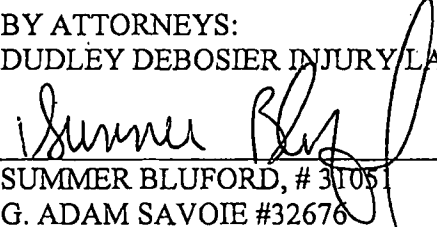
**MPS TRANSPORTATION, INC.** had a duty to establish, communicate and enforce screening, training, and supervision procedures to prevent accidents of this nature. The breach of this duty by and **MPS TRANSPORTATION, INC.**, caused Plaintiff's injuries and harm. and **MPS TRANSPORTATION, INC.**, was negligent in its hiring, supervision, retention and training of **GARY ROBINSON**.

15.

Plaintiff's claim exceeds the amount require for jury trial.

**WHEREFORE**, Plaintiff, **COURTNEY PREALOW**, prays that Defendants be served with this petition, and after being duly cited to appear and answer same and the expiration of all legal delays and due proceedings are had, that there be judgment rendered herein in favor of Plaintiff, **COURTNEY PREALOW**, and against Defendants, **FEDEX GROUND PACKAGE SYSTEM, INC.**, **MPS TRANSPORTATION, INC.**, **PROTECTIVE INSURANCE COMPANY**, and **GARY ROBINSON** for such damages as are reasonable in the premises, together with legal interest from the date of judicial demand until paid, all costs of these proceedings, and such equitable relief to which plaintiff may be entitled.

BY ATTORNEYS:  
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**PLEASE SERVE:**

**PROTECTIVE INSURANCE COMPANY**

Through its registered agent  
Louisiana Secretary of State  
8585 Archives Avenue  
Baton Rouge, LA 740809

**FEDEX GROUND PACKAGE SYSTEM, INC.**

Through its registered agent  
C T Coporation System  
3867 Plaza Tower Drive  
Baton Rouge, LA 70816

**VIA LONG ARM**

**GARY ROBINSON**

1535 Riverview Drive  
Newark, OH 43055

**VIA LONG ARM**

**MPS TRANSPORTATION INC.**

Through registered agent for Service of Process  
Marcus Shallar  
4231 Brit Road  
Mount Dora, FL 32757